

Casey A. Furey
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58502-2798
701.223.6585
cfurey@crowleyfleck.com

July 30, 2019

Via Hand-Delivery and Electronic Mail

Mr. Jerry Lein
Senior Public Utility Analyst
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

E-mail: jlein@nd.gov
 ndpsc@nd.gov

In re: Expedited Request for Clearance Approval
 Emmons-Logan Wind, LLC
 Emmons-Logan Wind Energy Center
 Case No. PU-18-280
 Our File No. 035218-000046

Mr. Lein,

I am writing to provide additional supplemental information regarding Emmons-Logan Wind, LLC's ("Emmons-Logan Wind") July 23, 2019 Expedited Request for Tree and Shrub Clearance (Docket No. 132), and my corresponding July 25, 2019 letter (Docket No. 133).

During construction, access roads are generally 32 feet in width, although widths can vary where larger turning radii are necessary. As described in Emmons-Logan Wind's application (Docket No. 1, Pg. 7-7), permanent access roads are typically 16 feet wide to allow for cross-travel by farm equipment. To clarify the scope of Emmons-Logan Wind's July 23 tree and shrub clearance request and modification filing, Emmons-Logan Wind is not requesting tree and shrub clearance authorization in order to construct access roads of up to 95 and 250 feet in width. Rather, Emmons-Logan Wind's July 23 tree and shrub clearance request is intended to ensure there is adequate width for the safe clearance of large machinery, equipment, and turbine components that will be traveling along the access road that is adjacent to and extends across the shelter belt identified in Attachment 1. Emmons-Logan Wind estimated that clearance may be required for up to 95 and 250 feet in width as more particularly described in its corresponding Memorandum (Docket No. 132); however, Emmons-Logan Wind will only remove those trees and shrubs *necessary* for safe and adequate clearance and will replace any trees and shrubs

removed consistent with the Commission's approved Tree and Shrub Mitigation Specifications (Docket No. 101).

As discussed in detail in the July 25 letter (Docket No. 133), during planning of the Emmons-Logan Wind Energy Center, Emmons-Logan Wind initially proposed to route the access road in a location that would have avoided the shelter belt. However, the landowner requested that Emmons-Logan Wind cross the shelter belt to minimize impacts to the landowner's crops. As a result, Emmons-Logan Wind incorporated the location request into the site plan that was subsequently filed with and approved by the Commission in its Order (Docket No. 101). Attachment 1 to this letter depicts the location of the access road as approved by the Commission and the slight shift to the access road proposed in Emmons-Logan Wind's July 23 modification filing (Docket No. 132).

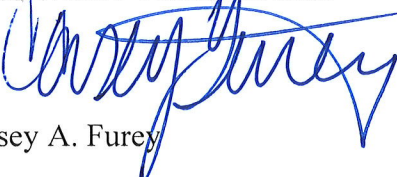
Emmons-Logan Wind submitted its July 23 modification filing to shift the access road approximately forty feet from its originally permitted location to address constructability issues identified in the field due to topography. The forty-foot shift allows Emmons-Logan Wind to continue to incorporate the landowner's location request and also address topography issues. The modification will allow the access road to be more easily maintained over the life of the facility. Landowner permission has already been obtained to locate the access road adjacent to and across a portion of the shelter belt. Attached hereto as Attachment 2 is Exhibit B to the landowner's easement agreement, which contains the landowner's authorization for the access road's location.

The access road modification was filed pursuant to Certification Relating to Order Provision No. 38(A), which governs filing procedures for modifications that do not require Commission approval; however, construction is still constrained by the Commission's Tree and Shrub Mitigation Specification No. 8 that requires Commission approval for tree and shrub clearance greater than 50 feet in width. Emmons-Logan Wind has provided information to demonstrate that this request is reasonable, necessary, and limited to the specific location identified in Attachment 1. For these reasons, Emmons-Logan Wind requests that the Commission approve its Expedited Request for Tree and Shrub Clearance.

Please feel free to contact me with any questions. Your assistance on this matter is greatly appreciated.

Sincerely,

CROWLEY FLECK PLLP



Casey A. Furey

CAF/tka
Enc.

cc: John Schuh (via email)
Tracy C. Davis (via email)
Allison Northcutt (via email)